



Testimony of Janet Napolitano, Governor of Arizona
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United States House of Representatives
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“Federalism and Disaster Response: Examining the Roles and
Responsibilities of Local, State, and Federal Agencies”

Chairman King, Ranking Member Thompson, and Committee Members, thank you for inviting me here today to speak about an issue foremost on the minds of all Americans: how local, state and federal governments should respond to disasters and emergencies in our homeland.

Less than two months ago, we saw the harrowing affects of Hurricane Katrina, and the human tragedy that occurs when government response is delayed and disorganized.

In its aftermath, every American is rightfully asking, what if another Hurricane Katrina happened in my community? Is the federal government meeting its responsibility in assisting my state to prepare for a natural disaster or a terrorist attack? Will my government learn the important lessons of Hurricane Katrina?

I applaud Congress for holding these hearings so we can learn from the lessons of Katrina. I am increasingly troubled, however, by suggestions that the federal government pre-empt the constitutional authority of states and the nation's governors during an emergency.

While the federal government is often a critical partner in emergency response and disaster relief, it is the states that have historically responded well. State and local governments are in the best position to prepare for, respond to, and recover from disaster and emergency.

Just last week, our nation's Governors joined together – Republicans and Democrats alike – and with one voice called on Congress not to undermine the authority and rights of states.

I encourage all of you to read the joint statement we issued through the National Governors Association. As vice chair of the National Governors Association and chair of the Western Governors Association, I ask that you pay special attention to our state commanders-in-chief throughout this process.

Katrina notwithstanding, states have a long and successful history in responding to natural and man-caused disasters. Arizona is a state that has experienced many disasters, ranging from wildfires during the summer months to flash floods in the winter. Some of these disasters have been particularly devastating, but rather than re-inventing the wheel every time something goes wrong, we learn from our experiences and understand how we can be better prepared next time.

This is illustrated by the Rodeo-Chediski Fire in 2002 – a fire that burned more than 450,000 acres, destroyed more than 400 structures including many homes, and cost more than \$150 million to suppress.

Arizona learned some tough lessons from that fire. Our emergency responders couldn't communicate with each other, and communities caught in the middle of the fire did not have evacuation plans.

Those communities have since developed evacuation plans; further, we have purchased five incident command vans with interoperable communications capabilities that can travel anywhere they are needed, allowing our emergency crews to communicate with each other during any incident. In fact, one of those vehicles was deployed to Louisiana following Hurricane Katrina.

We learned our lessons, embraced best practices, and are better prepared for future emergencies. That is the same approach the federal government should take: to understand what it did wrong, and to better prepare for the future.

Rather than embarking on a course that could have many unknowable and unfortunate consequences, Congress should focus its attention on how the federal government can best team with states. The analysis should break into two parts: what the federal and state governments should do in advance of an emergency; and what they should do afterward.

Pre-emergency has two aspects. First, there is general preparation for many different types of scenarios. Second, there is specific preparation to be undertaken when a known emergency is developing – such as in the days immediately preceding Katrina. In the wake of September 11, Congress initially understood that role, and provided states with resources to prevent and prepare for disasters. Those resources are how Arizona paid for the five mobile communications vans I mentioned a moment ago; they also paid for the Arizona Counter-Terrorism Information Center, a 24-7 intelligence gathering and dissemination center that links together representatives from the local, tribal, county, state and federal levels to detect and prevent acts of terrorism.

Federal dollars also paid for critical capability-specific training and equipment along the Arizona-Mexico border, where we are at risk for a terrorist strike. We exercised a mutual-aid agreement with the Mexican State of Sonora by conducting a federally funded bi-national training exercise – simulating a WMD attack at the border – with 22 Mexican law enforcement, medical services and emergency management agencies and 50 local, state and federal agencies from the United States.

We established interoperability capabilities in the four counties that border Mexico, trained more than 900 Mexican firefighters, medical responders and law enforcement officers, and developed the ability to communicate with Mexican authorities during an emergency. We have also forged partnerships with tribal governments – like the Tohono O'odham Nation– whose lands include 78 miles of porous international border.

Arizona puts homeland security resources to good use. That's why I am frustrated and disappointed that Congress and the Administration cut Arizona's homeland security resources by 30 percent, and failed to fund many worthwhile homeland security projects

in other states. In terms of general preparation, having properly-funded emergency relief initiatives is key.

In terms of specific preparation for known and anticipated crises, the federal government needs to participate more in joint planning with states to identify necessary assets and to pre-position those assets where they will do the most good.

I am troubled that in recent years the federal government has severely limited our ability to fight the huge forest fires that have plagued the West. In March 2004, the federal government made available 33 heavy air tankers to states to fight fires, but just three months later – at the height of our fire season – none were at our disposal. There were many reasons for this, but none of them justified the lack of pre-planning with the states and the timing of the decision to ground the air tankers.

Once a disaster occurs, the lead responsibility should reside with the states. One of the purposes of preparation is to develop an ongoing partnership between state personnel and their relevant federal counterparts. And, with specific respect to FEMA, governors need more, not less, authority to make decisions.

Arizona is one of the states that received Katrina evacuees; we experienced firsthand FEMA's total breakdown in providing any meaningful information regarding the status, welfare or destinations of those evacuees.

I cannot leave the topic of preparation for known risks without discussion of the Arizona–Mexico border. Securing the international border is a federal responsibility, but time and time again the federal government has refused to provide the proper resources – and enough Border Patrol agents – to secure it. On average, 1500 people are apprehended every day while attempting to cross the Arizona border illegally; that number obviously does not include those who are never caught. The Arizona-Sonora border is the gateway for more than half of the illegal cross-border activity that occurs along the U.S.–Mexico border. In fact, of the 1.1 million Southwest border apprehensions in 2004, nearly half were apprehended in the Tucson Sector alone. While most of the people who cross seek to work in the United States, we have no way of knowing if some of those who cross seek to attack us. Congress must make it a priority to regain operational control of the border.

I hope that one of the lessons we learn from Hurricane Katrina is that certain emergencies can be prevented or minimized, and that the best disaster response actually happens years before a first responder ever arrives on the scene.

Aside from learning that lesson, there are many things this Congress should do to prevent and prepare for future disasters in the United States:

- First, respect the constitutional authority of states and the nation's governors in an emergency situation.
- Second, restore critical homeland security and emergency response resources that the federal government has cut in recent years. The value of funding for

preparation and practice in advance of a true emergency cannot be underestimated.

- Third, better evaluate and examine disaster threats, such as the federal levees in New Orleans, and prioritize funding for those areas. Obviously, securing the border must be a top funding priority here.
- Fourth, work with the states to obtain accreditation for state emergency preparedness plans. The accreditation process is extremely thorough and provides a mechanism for states to ensure they have covered all that is necessary.
- Last but not least, the public health aspects of disaster and recovery must be integrated into any response plan. Preparations, or the lack thereof, for the avian flu illustrate this point.

I appreciate your time and consideration, and am pleased to answer any questions you have at this time.